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**COMBINED DECLARATION AND POWER OF ATTORNEY**

(Original, Design, National Stage of PCT or CIP Application)

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Inventors: Hall, Andrew F.; Sell, Jonathan C.

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed above) or an original, first and joint inventor along with those listed above (if plural names are listed above) of the subject matter which is claimed and for which a patent is sought on the invention entitled: Magnetically Guided Atherectomy

the specification of which: (Complete (a), (b) or (c) for type of application)

**REGULAR OR DESIGN APPLICATION**

(a)        is attached hereto.

(b) x was filed on July 12, 1999 as Application Serial No. 09/352161 and was amended on        (if applicable).

**PCT FILED APPLICATION ENTERING NATIONAL STAGE**

(c)        was described and claimed in International Application No.        filed on        and as amended on        (if any).

**ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

       In compliance with this duty there is attached an information disclosure statement.  
37 CFR 1.97.

## PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

[Complete (d) or (e)]

(d)  no such applications have been filed.

(e)  such applications have been filed as follows.

### EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION

Country	Application No.	Date of filing (day, month, year)	Date of issue (day, month, year)	Priority (day, month, year)	Claimed
					<input type="checkbox"/> YES <input type="checkbox"/> NO
					<input type="checkbox"/> YES <input type="checkbox"/> NO

### ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION

### CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)

I hereby claim the benefit under Title 35, United States code, § 119(e) of any United States provisional application(s) listed below:

(Provisional Application Number)	(Filing Date)
(Provisional Application Number)	(Filing Date)
(Provisional Application Number)	(Filing Date)

## **CONTINUATION-IN-PART**

(Complete this part only if this is a continuation-in-part application)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Serial No.) (Filing Date) (Status) (Patent, pending, abandoned)

(Application Serial No.) (Filing Date) (Status) (Patent, pending, abandoned)

## **POWER OF ATTORNEY**

As a named inventor, I hereby appoint the following attorney and/or agent to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith, before all competent international authorities in connection with any international application, and before all foreign patent offices in connection with the national phase of any international application or any foreign application, and to appoint any associate attorneys in connection with any application, either domestic, international or foreign national.

John M. Howell (25,261); Richard E. Haferkamp (29,072); Kenneth Solomon (31,427); Joseph M. Rolnicki (32,653); Joseph E. Walsh, Jr. (36,959); Alan H. Norman (32,285); Donald R. Holland (35,197); Bryan K. Wheelock (31,441); Charles E. Dunlap (35,124); Anthony G. Simon (40,813); Michael J. Thomas (39,857); Thomas A. Polcyn (41,256); Elie H. Gendloff (44,704)

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Full name of sole or first inventor** Andrew F. Hall

Inventor's signature 

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